

SOLICITOR

NOTE: Pursuant to Fed. Cir. R. 47.6, this order
is not citable as precedent. It is a public order.

OCT 20 2004

U.S. PATENT & TRADEMARK OFFICE

United States Court of Appeals for the Federal Circuit

04-1360
(Serial No. 08/458,019)

IN RE ERIC A. JOHNSON, HUEI-HSIUNG YAN,
BERIL GELDIAY-TUNCER, WILLIAM T. HALL, DAVID SCHREIBER,
and KWOK HO (Real Party in Interest Biotechnology, Inc.),

ON MOTION

Before NEWMAN, Circuit Judge.

ORDER


Upon consideration of the parties' joint motion to remand the case to the United States Patent and Trademark Office for further proceedings,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

OCT 20 2004

Date


Pauline Newman
Circuit Judge

cc: Dean H. Nakamura, Esq.
John M. Whealan, Esq.

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ISSUED AS A MANDATE: _____

OCT 20 2004

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IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE.
UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

By: _____

Date: _____

OCT 20 2004

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 20 2004

**JAN HORBALY
CLERK**